

108TH CONGRESS  
1ST SESSION

# H. R. 1407

To amend title 40, United States Code, to enhance security at executive and judicial branch facilities by requiring locksmiths who provide locksmith services at such a facility to be credentialed, which includes undergoing a criminal history background check.

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 20, 2003

Mr. SESSIONS introduced the following bill; which was referred to the  
Committee on Government Reform

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## A BILL

To amend title 40, United States Code, to enhance security at executive and judicial branch facilities by requiring locksmiths who provide locksmith services at such a facility to be credentialed, which includes undergoing a criminal history background check.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Federal Facilities  
5       Locksmith Services Act of 2003”.

1 **SEC. 2. USE OF CREDENTIALLED LOCKSMITHS TO PROVIDE**  
2 **LOCKSMITH SERVICES IN FEDERAL FACILI-**  
3 **TIES.**

4 (a) USE OF CREDENTIALLED LOCKSMITH.—Chapter  
5 5 of title 40, United States Code, is amended by inserting  
6 after section 593 the following new section:

7 **“§ 594. Use of credentialed locksmiths to provide**  
8 **locksmith services in executive facilities**

9 “(a) USE OF CREDENTIALLED LOCKSMITHS.—The  
10 Administrator of General Services shall ensure that every  
11 locksmith who provides locksmith services in an executive  
12 facility is credentialed as provided in subsection (b).

13 “(b) CREDENTIALING REQUIREMENTS.—To be a  
14 credentialed locksmith for purposes of subsection (a), a  
15 locksmith must—

16 “(1) be accredited by a nationally recognized  
17 accrediting agency or association;

18 “(2) satisfactorily undergo a criminal history  
19 background check conducted using the national  
20 criminal history background check system and State  
21 criminal history repositories of all States in which  
22 the locksmith has resided; and

23 “(3) satisfy established industry standards of  
24 professional education or training.

25 “(c) DESIGNATION OF ACCREDITING AGENCIES.—  
26 For purposes of subsection (b), the Administrator shall

1 publish a list of nationally recognized accrediting agencies  
2 or associations that the Administrator determines to be  
3 reliable authority regarding the performance of a criminal  
4 history background check and the quality of the education  
5 or training of the locksmith seeking credentialing.

6 “(d) RELATION TO STATE LICENSING LAWS.—Noth-  
7 ing in this section shall be construed to supersede any pro-  
8 vision of State law that establishes licensing requirements  
9 for locksmiths.

10 “(e) LIMITATION OF LIABILITY.—No action may be  
11 brought against an accrediting agency or association, or  
12 its employees, for the denial of accreditation based upon  
13 reliance on information provided by a Federal or State  
14 governmental agency.

15 “(f) RECOVERY OF COSTS.—The Administrator may  
16 require a locksmith seeking credentialing to pay the rea-  
17 sonable fees and expenses incurred to conduct the back-  
18 ground check and other investigations required as a condi-  
19 tion of obtaining the credentialing.

20 “(g) DEFINITIONS.—In this section:

21 “(1) EXECUTIVE FACILITY.—The term ‘execu-  
22 tive facility’ has the meaning given the term in sec-  
23 tion 590(f) of this title.

24 “(2) LOCKSMITH.—The term ‘locksmith’ means  
25 an individual who—

1           “(A) provides locksmith services to the  
2           public for any type of compensation; or

3           “(B) otherwise holds himself or herself out  
4           to the public as a locksmith.

5           “(3) LOCKSMITH SERVICES.—The term ‘lock-  
6           smith services’ means—

7           “(A) servicing, installing, repairing, re-  
8           building, rekeying, repining, or adjusting locks,  
9           mechanical or electronic access control security  
10          devices, safes, vaults, or safe deposit boxes; and

11          “(B) operating a mechanical or electrical  
12          security device, safe, or vault by a means other  
13          than those intended by the manufacturer of the  
14          device, safe or vault.

15          “(4) NATIONAL CRIMINAL HISTORY BACK-  
16          GROUND CHECK SYSTEM.—The term ‘national crimi-  
17          nal history background check system’ has the mean-  
18          ing given the term in section 5 of the National Child  
19          Protection Act of 1993 (42 U.S.C. 5119c).”.

20          (b) CLERICAL AMENDMENT.—The table of sections  
21          at the beginning of such chapter is amended by inserting  
22          after the item relating to section 593 the following new  
23          item:

          “594. Use of credentialed locksmiths to provide locksmith services in executive  
          facilities.”.

1       (c) REGULATIONS.—Not later than 180 days after  
2 the date of enactment of this Act, the Administrator of  
3 General Services, in consultation with the Attorney Gen-  
4 eral, shall issue such rules as may be necessary to carry  
5 out section 594 of title 40, United States Code, as added  
6 by subsection (a), including measures relating to the secu-  
7 rity, confidentiality, processing, cost reimbursement, use,  
8 dissemination, maintenance, and destruction of criminal  
9 background check records and other information obtained  
10 pursuant to such section.

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